



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0581/14)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Mr. Augustinas Vitas

Keramiku g. 70-2, 10255 Vilnius, Lithuania

- Claimant -

represented by Mr. Antanas Paulauskas, attorney at law,
Gynėjų g. 16, LT-01109 Vilnius, Lithuania

vs.

APOEL Nicosia Basketball Club

Limmasol Kennedy Square, 1076 Nicosia, Cyprus

- Respondent -

represented by Mr. Miltiades J. Violaes, attorney at law,
Arch. Makriou III 2-4 Capital Center, 5th Floor, 1065 Nicosia, Cyprus

AWARD

Upon providing both parties with an opportunity to be heard, having ascertained his jurisdiction and considered the factual and legal arguments as well as the requests for relief submitted in this case, the Arbitrator decides as follows:

- 1. The claim filed by Mr. Augustinas Vitas against APOEL Nicosia BC is dismissed.**
- 2. Mr. Augustinas Vitas is ordered to pay to APOEL Nicosia BC the amount of EUR 2,500.00 as contribution to its legal fees and expenses.**
- 3. The costs of this arbitration until the present Award, which were determined by the President of the BAT to be in the amount of EUR 5,000.00, shall be borne by Mr. Augustinas Vitas alone. Accordingly, Mr. Augustinas Vitas is ordered to pay to APOEL Nicosia BC the amount of EUR 2,500.00.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**

Geneva, seat of the arbitration, 9 December 2014



Ulrich Haas
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2.1 and 16.2.2 of the BAT Rules:

“16.2.1 By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that,

- a) where the value of the dispute does not exceed EUR 30,000, the Arbitrator will issue an award without reasons.*
- b) where the value of the dispute is between EUR 30,001 and EUR 200,000, and a Respondent fails to pay its share of an advance on costs, upon request by a Claimant the Arbitrator may decide to issue an award without reasons and reduce the advance on costs in accordance with Article 9.3.1 above.*

16.2.2 If Article 16.2.1(a) applies or if the Arbitrator decides to issue an award without reasons in accordance with Article 16.2.1(b), the Arbitrator shall deliver reasons only if a party

- a) files a request to that effect at any stage from when the Request for Arbitration is filed until no later than ten (10) days after the notification of the award without reasons; and*
- b) pays the respective advance on costs as determined and within the time limit set by the BAT Secretariat.”*

On 7 July 2014, the BAT Secretariat informed the Parties that the amount of the advance on costs to be paid for a reasoned award in this case is EUR 5,000.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.